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By ECF

Hon. Brian M. Cogan
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: **Linde v. Arab Bank, PLC, 04-CV-2799 (BMC)(VVP) and related cases**

Dear Judge Cogan:

We write on behalf of the *Linde* and *Coulter* Plaintiffs regarding the joint discovery letter filed last night by the Defendant Arab Bank (ECF No. 1327). Defendant's portion of the letter raises purported discovery issues with respect to four experts: Gil Kleiman, Dr. Joseph Burton, Dr. Richard Kraut, and Dr. Robert Kurtz. Plaintiffs' portion of the letter responds only with respect to Mr. Kleiman and Dr. Burton because the parties were still conferring regarding regarding Dr. Kurtz and Dr. Kraut when Defendant prematurely and unilaterally filed the discovery letter with the Court.

Yesterday at 5:08 p.m., we emailed Defendant's counsel and advised them that we would be willing to make Drs. Kraut and Kurtz available for further questioning if Defendant identified specific subjects it was not able to cover during their depositions. (See Exhibit A attached hereto.) Defendant never responded to our email, and instead filed the joint letter without advising the Court of the status of the parties' discussions regarding Drs. Kraut and Kurtz. This is the second time in as many months that Arab Bank has filed a "joint" submission that either alters the submission after Plaintiffs have agreed to its content, or in this case includes a subject on which Plaintiffs have not written.

We are prepared to provide the Court with our position with respect to Drs. Kraut and Kurtz if the Court would find it useful. But we believe Defendant's regrettable conduct speaks for itself.

Respectfully submitted,

/s/ Shawn Naunton

Shawn Naunton

cc: All Counsel (via ECF)